

**File Code** **Alcoholic Beverages**

**Subject** Caroline County - Alcoholic Beverages - Open Containers

**H-Bill** [Go to HB](#)

**S-Bill** SB594 [Go to SB](#) <http://mlis.state.md.us/2005rs/billfile/sb0594.htm>

**Synopsis**

Making it a misdemeanor for a person in Caroline County to possess an open container of an alcoholic beverage under specified circumstances.

**File Code** **Alcoholic Beverages**

**Subject** Cecil County - Alcoholic Beverages Licensees - Administrative Proceedings

**H-Bill** HB570 [Go to HB](#) <http://mlis.state.md.us/2005rs/billfile/hb0570.htm>

**S-Bill** [Go to SB](#)

**Synopsis**

Adding Cecil County to the list of counties in which the granting of probation before judgment to an alcoholic beverages licensee for selling or furnishing alcoholic beverages to an underaged individual does not bar the Board of License Commissioners from proceeding administratively against the licensee for the violation.

### ***File Code* Alcoholic Beverages**

***Subject*** Alcoholic Beverages - Furnishing for or Allowing  
Underage Consumption - Fines

***H-Bill*** HB1392      ***Go to HB*** <http://mlis.state.md.us/2005rs/billfile/hb1392.htm>

***S-Bill***                      ***Go to SB***

### ***Synopsis***

Increasing the fines to \$1,000 for first offenders and to \$1,500 for subsequent offenders of the prohibition against knowingly furnishing an alcoholic beverage to an individual under the age of 21 years for the purpose of consumption and of the prohibition against knowingly and willingly allowing an individual under the age of 21 years actually to possess or consume an alcoholic beverage at a specified residence.

### ***File Code* Civil Actions and Procedures**

***Subject*** Cigarettes - Direct Sales and Shipping

***H-Bill***                      ***Go to HB***

***S-Bill*** SB546      ***Go to SB*** <http://mlis.state.md.us/2005rs/billfile/sb0546.htm>

### ***Synopsis***

Prohibiting a person engaged in the business of selling or distributing cigarettes from selling, shipping, or causing to be shipped cigarettes, ordered or purchased by mail or through a computer network, telephonic network, or other electronic network by a consumer or other unlicensed recipient, directly to a consumer or other unlicensed recipient in this State; allowing a licensed retailer or an employee of a licensed retailer to deliver no more than two cartons of cigarettes directly to a consumer; etc.

### ***File Code* Civil Actions and Procedures**

***Subject*** Courts - Certificate of Merit - Employer of Licensed Professional

***H-Bill*** [\*Go to HB\*](#)

***S-Bill*** SB143 [\*Go to SB\*](#) <http://mlis.state.md.us/2005rs/billfile/sb0143.htm>

#### ***Synopsis***

Specifying that a requirement of filing a certificate of a qualified expert in specified malpractice claims applies to claims filed in a United States District Court; applying the requirement of filing a certificate of a qualified expert in malpractice claims to a claim against the employer, partnership, or other entity through which a licensed professional performs specified services; and providing for the construction and application of the Act.

### ***File Code* Civil Actions and Procedures**

***Subject*** Courts - Witness Fees and Mileage Costs

***H-Bill*** HB49 [\*Go to HB\*](#) <http://mlis.state.md.us/2005rs/billfile/HB0049.htm>

***S-Bill*** [\*Go to SB\*](#)

#### ***Synopsis***

Changing the amount of attendance fees and mileage costs allowed to witnesses in court; limiting the payment of attendance fees and mileage costs to civil proceedings and confined witnesses in criminal prosecutions; requiring the State Court Administrator to determine attendance fees and mileage costs that are uniform throughout the courts in the State; and requiring a party requesting a summons for the attendance of a witness to pay that witness the fee and mileage costs set by the clerk of court; etc.

***File Code*** Civil Actions and Procedures

***Subject*** Courts - Parent-Child Immunity - Motor Vehicle Torts

***H-Bill*** HB1081 ***Go to HB*** <http://mlis.state.md.us/2005rs/billfile/hb1081.htm>

***S-Bill*** ***Go to SB***

***Synopsis***

Expanding the abrogation of the doctrine of parent-child immunity in motor vehicle torts up to the limits of motor vehicle liability coverage or uninsured motor vehicle coverage.

***File Code*** Civil Actions and Procedures

***Subject*** Consumer Protection - Immigration Consulting  
Services

***H-Bill*** HB691 ***Go to HB*** <http://mlis.state.md.us/2005rs/billfile/hb0691.htm>

***S-Bill*** ***Go to SB***

***Synopsis***

Prohibiting specified persons from providing specified types of services to noncitizens and persons seeking to sponsor a noncitizen; providing specified exceptions; prohibiting immigration consultants from taking specified actions; requiring a specified contract to be executed; requiring specified notices to be posted at an immigration consultant's place of business; providing that an immigration consultant that violates the Act is guilty of a misdemeanor; etc.

***File Code*** Civil Actions and Procedures

***Subject*** Civil Actions - Limitation of Actions - Land Surveyors

***H-Bill*** [\*Go to HB\*](#)

***S-Bill*** SB14 [\*Go to SB\*](#) <http://mlis.state.md.us/2005rs/billfile/SB0014.htm>

***Synopsis***

Reducing the time period after which a person may not seek damages incurred as a result of an error in a land survey from 20 years to 10 years or within 3 years after the discovery of the error, whichever occurs first; etc.

***File Code*** Civil Actions and Procedures

***Subject*** Legal Proceedings - Legislative Continuances and Time Extensions

***H-Bill*** HB1476 [\*Go to HB\*](#) <http://mlis.state.md.us/2005rs/billfile/hb1476.htm>

***S-Bill*** [\*Go to SB\*](#)

***Synopsis***

Providing for specified legislative continuances and time extensions for filing a document relating to a legal proceeding under specified circumstances; etc.

***File Code*** Civil Actions and Procedures

***Subject*** Courts - Trial Jury Improvement Act of 2005

***H-Bill*** HB1185 ***Go to HB*** <http://mlis.state.md.us/2005rs/billfile/HB1185.htm>

***S-Bill*** ***Go to SB***

***Synopsis***

Requiring the State Court Administrator to assess a surcharge on specified civil cases; increasing the State per diem account for serving on a trial after July 1, 2006; limiting the length of trial jury service after July 1, 2006, under specified circumstances; limiting the reasons to be excused from trial jury service; allowing a one-time postponement of service; providing procedures for rescheduling postponed service; etc.

***File Code*** Civil Actions and Procedures

***Subject*** Maryland Tort Claims Act - Structured Settlements

***H-Bill*** ***Go to HB***

***S-Bill*** SB781 ***Go to SB*** <http://mlis.state.md.us/2005rs/billfile/sb0781.htm>

***Synopsis***

Altering the definition of "structured settlement" to include a settlement of a claim in provisions of law authorizing the State to enter into structured settlements of claims under the Maryland Tort Claims Act; and requiring a specified investment company to be selected by the State and a claimant by mutual agreement.

### ***File Code*** Counties

***Subject*** Anne Arundel County - Pretrial Release, Work Release, and Related Programs - Eligibility and Fees

***H-Bill*** HB553      ***Go to HB*** <http://mlis.state.md.us/2005rs/billfile/hb0553.htm>

***S-Bill*** SB500      ***Go to SB*** <http://mlis.state.md.us/2005rs/billfile/SB0500.htm>

### ***Synopsis***

Altering the types of payments that the Administrator of the Anne Arundel County Department of Detention Facilities may deduct from earnings of specified participants in specified programs; authorizing the Administrator to deduct specified fees from the earnings of specified participants in specified work release programs; authorizing the Administrator to collect, waive, or reduce specified fees; authorizing the Administrator to establish a specified pretrial release program and adopt specified regulations; etc.

### ***File Code*** Counties

***Subject*** Carroll County and Garrett County - Display of Tobacco Products

***H-Bill***                      ***Go to HB***

***S-Bill*** SB791      ***Go to SB*** <http://mlis.state.md.us/2005rs/billfile/sb0791.htm>

### ***Synopsis***

Prohibiting specified persons who own or operate a business engaging in the retail sale of tobacco products from storing or displaying a tobacco product in a specified manner in Carroll County or Garrett County; providing that a person who violates specified provisions regarding the display of tobacco products is committing a civil infraction; providing for the issuance of a citation by specified persons, the contents of the citation, and the civil penalties for violations; etc.

### ***File Code*** Counties

***Subject*** Washington County Animal Control Ordinance - Violation

***H-Bill*** HB905      ***Go to HB*** <http://mlis.state.md.us/2005rs/billfile/hb0905.htm>

***S-Bill***                      ***Go to SB***

### ***Synopsis***

Providing that a violation of the Washington County animal control ordinance is a misdemeanor punishable by imprisonment of up to 30 days or a fine of \$1,000 or both; authorizing an animal control officer in Washington County to issue citations for violations of the Washington County animal control ordinance; providing for the content of citations issued for violation of the Washington County animal control ordinance; etc.

### ***File Code*** Courts and Court Personnel

***Subject*** Baltimore City - Orphans' Court Judges - Salary Increases

***H-Bill*** HB1461      ***Go to HB*** <http://mlis.state.md.us/2005rs/billfile/HB1461.htm>

***S-Bill***                      ***Go to SB***

### ***Synopsis***

Increasing to a specified amount the annual salaries of the associate judges and the Chief Judge of the Orphans' Court for Baltimore City; and providing that the Act does not apply to the salaries or compensation of the incumbent associate judges and the Chief Judge of the Orphans' Court for Baltimore City.



### ***File Code*** Courts and Court Personnel

***Subject*** Circuit Court Real Property Records Improvement  
Fund - Duration

***H-Bill*** HB640      ***Go to HB*** <http://mlis.state.md.us/2005rs/billfile/HB0640.htm>

***S-Bill*** SB348      ***Go to SB*** <http://mlis.state.md.us/2005rs/billfile/SB0348.htm>

### ***Synopsis***

Extending the termination date of the Circuit Court Real Property Records Improvement Fund from June 30, 2006 to June 30, 2011.

### ***File Code*** Courts and Court Personnel

***Subject*** Baltimore City Sheriff - Employees - Salaries

***H-Bill*** HB1448      ***Go to HB*** <http://mlis.state.md.us/2005rs/billfile/HB1448.htm>

***S-Bill*** SB916      ***Go to SB*** <http://mlis.state.md.us/2005rs/billfile/sb0916.htm>

### ***Synopsis***

Altering the salaries of specified employees of the Baltimore City Sheriff; altering specified surcharges on filing fees in the District Court in Baltimore City; requiring specified revenue to be remitted quarterly to the Baltimore City Director of Finance and to be used for a specified purpose; and providing for the funding of salaries of specified employees of the Baltimore City Sheriff.

### ***File Code*** Courts and Court Personnel

***Subject*** Judgeships - Circuit Courts and District Court

***H-Bill*** HB236      ***Go to HB*** <http://mlis.state.md.us/2005rs/billfile/hb0236.htm>

***S-Bill*** SB204      ***Go to SB*** <http://mlis.state.md.us/2005rs/billfile/SB0204.htm>

### ***Synopsis***

Increasing the number of circuit court judgeships in Baltimore City and in Anne Arundel, Baltimore, Montgomery, Washington, and Worcester counties; and increasing the number of District Court judgeships in Baltimore City and in Worcester, Calvert, Prince George's, and Anne Arundel counties.

### ***File Code*** Courts and Court Personnel

***Subject*** Circuit Court Clerks - Salary

***H-Bill*** HB334      ***Go to HB*** <http://mlis.state.md.us/2005rs/billfile/HB0334.htm>

***S-Bill*** SB598      ***Go to SB*** <http://mlis.state.md.us/2005rs/billfile/SB0598.htm>

### ***Synopsis***

Removing a limit of \$85,000 on the maximum salary that the Board of Public Works may set for a circuit court clerk; and providing that the Act does not apply to the salary or compensation of an incumbent clerk.

### ***File Code* Courts and Court Personnel**

***Subject*** Register of Wills - Salary

***H-Bill*** HB333      ***Go to HB*** <http://mlis.state.md.us/2005rs/billfile/hb0333.htm>

***S-Bill*** SB284      ***Go to SB*** <http://mlis.state.md.us/2005rs/billfile/SB0284.htm>

### ***Synopsis***

Removing a limit on the maximum salary that the Board of Public Works may set for a register of wills; and providing that the Act does not apply to the salary or compensation of an incumbent register of wills.

### ***File Code* Criminal Law - Procedure**

***Subject*** Criminal Procedure - Sex Offender Registration -  
Terms and Procedures

***H-Bill*** HB774      ***Go to HB*** <http://mlis.state.md.us/2005rs/billfile/HB0774.htm>

***S-Bill***              ***Go to SB***

### ***Synopsis***

Altering the definition of "release" to include specified circumstances; establishing a definition of "transient" to apply to nonresident registrants who enter a county for a specified period of time; establishing registration requirements for transient registrants; requiring registration of specified information by registrants on work release; and adding specified registration duties to supervising authorities and local law enforcement units.

**File Code** Criminal Law - Procedure

**Subject** Criminal Procedure - Restitution

**H-Bill** HB1010     **Go to HB** <http://mlis.state.md.us/2005rs/billfile/HB1010.htm>

**S-Bill** SB873     **Go to SB** <http://mlis.state.md.us/2005rs/billfile/SB0873.htm>

**Synopsis**

Allowing restitution for rehabilitation expenses; providing that the \$10,000 cap of restitution is per child per incident and not aggregate children per incident; requiring the Division of Correction or Department of Juvenile Services to request the court to impose an earnings withholding order to collect restitution from an obligor's salary if the restitution is overdue and the restitution obligor is employed; providing for the presumed necessity of specified restitution expenses when written documentation is provided; etc.

**File Code** Criminal Law - Procedure

**Subject** Wiretap and Electronic Surveillance - Investigation -  
Obstructing Justice

**H-Bill** HB1208     **Go to HB** <http://mlis.state.md.us/2005rs/billfile/HB1208.htm>

**S-Bill** SB643     **Go to SB** <http://mlis.state.md.us/2005rs/billfile/SB0643.htm>

**Synopsis**

Adding specified offenses committed with the intention of obstructing justice to those crimes for which evidence may be gathered by interception of oral, wire, or electronic communications.

### ***File Code*** Criminal Law - Procedure

***Subject*** Wiretapping and Electronic Surveillance - Vehicle Theft

***H-Bill*** HB610      ***Go to HB*** <http://mlis.state.md.us/2005rs/billfile/HB0610.htm>

***S-Bill*** SB548      ***Go to SB*** <http://mlis.state.md.us/2005rs/billfile/sb0548.htm>

### ***Synopsis***

Making it lawful for a person to intercept a wire, oral, or electronic communication in the course of a law enforcement investigation in order to provide evidence of the commission of vehicle theft if the person is an investigative or law enforcement officer or is acting under the direction of an investigative or law enforcement officer, and the device through which the interception is made has been placed within a vehicle by law enforcement personnel under circumstances in which it is thought that vehicle theft may occur.

### ***File Code*** Criminal Law - Procedure

***Subject*** Criminal Law - Evidence of Motor Vehicle Theft - Owner's Affidavit

***H-Bill*** HB1391      ***Go to HB*** <http://mlis.state.md.us/2005rs/billfile/HB1391.htm>

***S-Bill*** SB827      ***Go to SB*** <http://mlis.state.md.us/2005rs/billfile/SB0827.htm>

### ***Synopsis***

Authorizing in a specified criminal case or juvenile proceeding involving theft of a motor vehicle the introduction of an affidavit by the lawful owner of the motor vehicle as substantive evidence that the motor vehicle was taken from and operated, used, or possessed without the lawful owner's authorization; requiring the affidavit to be given under oath and attached to the certificate of title of the motor vehicle; requiring the State to provide specified notice to the defendant; etc.

**File Code** Criminal Law - Procedure

**Subject** Criminal Procedure - HIV Testing - Time Limits

**H-Bill** HB944      **Go to HB** <http://mlis.state.md.us/2005rs/billfile/HB0944.htm>

**S-Bill**                      **Go to SB**

**Synopsis**

Establishing a time limit in which a court, except for good cause, must hold a hearing after the court is presented with a victim's request for a hearing on whether a person charged with a crime or delinquent act that may have caused or resulted in exposure of the victim to HIV must be tested for HIV; establishing a time limit in which a court, except for good cause, must issue a specified order after the conclusion of the hearing; etc.

**File Code** Criminal Law - Procedure

**Subject** Wiretap and Electronic Surveillance - Court Order -  
Obstructing Justice

**H-Bill** HB1218      **Go to HB** <http://mlis.state.md.us/2005rs/billfile/HB1218.htm>

**S-Bill** SB645      **Go to SB** <http://mlis.state.md.us/2005rs/billfile/SB0645.htm>

**Synopsis**

Adding specified offenses committed with the intention of obstructing justice to those crimes for which application may be made for a court order authorizing the interception of oral, wire, or electronic communications.

***File Code*** Criminal Law - Procedure

***Subject*** Identity Fraud - Police Report

***H-Bill*** HB800      ***Go to HB*** <http://mlis.state.md.us/2005rs/billfile/hb0800.htm>

***S-Bill***                      ***Go to SB***

***Synopsis***

Requiring a local law enforcement agency, after being contacted by a person who knows or reasonably suspects that the person is a victim of identity fraud, to promptly prepare and file a report of the alleged identity fraud and provide a copy of the report to the victim; etc.

***File Code*** Criminal Law - Procedure

***Subject*** Criminal Procedure - Child Sexual Offender and  
Sexually Violent Predator Registration - Photographs

***H-Bill*** HB772      ***Go to HB*** <http://mlis.state.md.us/2005rs/billfile/hb0772.htm>

***S-Bill***                      ***Go to SB***

***Synopsis***

Requiring annual photographs of specified sex offender registrants; and altering registration requirements for child sexual offenders and sexually violent predators.

**File Code Criminal Law - Procedure**

**Subject** Criminal Procedure - Sex Offenses - Prohibition  
Against Probation Before Judgment

**H-Bill** HB895      **Go to HB** <http://mlis.state.md.us/2005rs/billfile/HB0895.htm>

**S-Bill** SB107      **Go to SB** <http://mlis.state.md.us/2005rs/billfile/SB0107.htm>

**Synopsis**

Including specified additional sex offenses among those offenses for which a court is prohibited from staying the entering of judgment and placing a defendant on probation.

**File Code Criminal Law - Procedure**

**Subject** Courts - Criminal Cases - Dismissal and Limitation  
on Prosecution After Appeal by State

**H-Bill** HB25      **Go to HB** <http://mlis.state.md.us/2005rs/billfile/HB0025.htm>

**S-Bill** SB642      **Go to SB** <http://mlis.state.md.us/2005rs/billfile/SB0642.htm>

**Synopsis**

Repealing a requirement that the charges against a criminal defendant be dismissed and that the State be precluded from prosecuting the defendant on the charges or related charges if a decision of a trial court excluding evidence is affirmed after an appeal by the State.



***File Code*** Criminal Law - Procedure

***Subject*** Criminal Procedure - Probation Before Judgment -  
Provisional Driver's License

***H-Bill*** HB633      ***Go to HB*** <http://mlis.state.md.us/2005rs/billfile/HB0633.htm>

***S-Bill***                      ***Go to SB***

***Synopsis***

Prohibiting a court from staying an entry of judgment and placing a defendant on probation for a moving violation if the defendant holds a provisional license.

***File Code*** Criminal Law - Procedure

***Subject*** Criminal Procedure - "No-Knock" Warrants -  
Authority

***H-Bill*** HB577      ***Go to HB*** <http://mlis.state.md.us/2005rs/billfile/HB0577.htm>

***S-Bill***                      ***Go to SB***

***Synopsis***

Allowing an application for a search warrant to contain a request that the search warrant authorize the executing law enforcement officer to enter the building, apartment, premises, place, or thing to be searched without giving notice of the officer's authority or purpose; providing grounds for the request; allowing a search warrant to authorize a law enforcement officer to enter a building, apartment, premises, place, or thing without giving a specified notice, under specified circumstances; etc.

***File Code*** Criminal Law - Procedure

***Subject*** Criminal Procedure - Sex Offender Registration -  
Supervising Authority

***H-Bill*** HB770      ***Go to HB*** <http://mlis.state.md.us/2005rs/billfile/HB0770.htm>

***S-Bill***                      ***Go to SB***

***Synopsis***

Making the court in which the registrant was convicted the supervising authority if the registrant's sentence is modified to time served.

***File Code*** Criminal Law - Procedure

***Subject*** Criminal Procedure - Sexual Crimes Involving a  
Minor - Term of Probation

***H-Bill*** HB283      ***Go to HB*** <http://mlis.state.md.us/2005rs/billfile/HB0283.htm>

***S-Bill*** SB91      ***Go to SB*** <http://mlis.state.md.us/2005rs/billfile/sb0091.htm>

***Synopsis***

Authorizing a court to order probation for a defendant convicted of sexual abuse or sexual offense crimes involving a minor for a time longer than the sentence imposed but not longer than 10 years for probation ordered in a circuit court or 6 years for probation ordered in the District Court.

***File Code*** Criminal Law - Procedure

***Subject*** Burglary and Daytime Housebreaking - Mandatory  
Sentences - Retroactive Effect

***H-Bill*** HB596      ***Go to HB*** <http://mlis.state.md.us/2005rs/billfile/HB0596.htm>

***S-Bill***                      ***Go to SB***

***Synopsis***

Allowing a person who is serving a term of confinement for burglary or daytime housebreaking that includes a mandatory minimum sentence imposed before October 1, 1994 to apply for and receive a sentence review under specified circumstances; providing for the termination of the Act; etc.

***File Code*** Criminal Law - Procedure

***Subject*** Crimes and Criminal Procedure - Victim and Witness  
Intimidation

***H-Bill***                      ***Go to HB***

***S-Bill*** SB122      ***Go to SB*** <http://mlis.state.md.us/2005rs/billfile/SB0122.htm>

***Synopsis***

Prohibiting a person from harming another, threatening to harm another, or damaging or destroying property with the intent to induce a victim or witness not to report the existence of facts relating to a crime or delinquent act; prohibiting solicitation of another person to harm another, threaten to harm another, or damage or destroy property with the intent to induce a victim or witness to avoid testifying at an official proceeding or not to report the existence of facts relating to a crime or delinquent act; etc.

### ***File Code* Criminal Law - Procedure**

***Subject*** Crimes and Criminal Procedure - Victim and Witness  
Intimidation

***H-Bill*** HB248      ***Go to HB*** <http://mlis.state.md.us/2005rs/billfile/hb0248.htm>

***S-Bill*** SB188      ***Go to SB*** <http://mlis.state.md.us/2005rs/billfile/SB0188.htm>

### ***Synopsis***

Prohibiting a person from harming another, threatening to harm another, or damaging or destroying property with the intent to induce a victim or witness not to report the existence of facts relating to a crime or delinquent act; prohibiting solicitation of another person to harm another, threaten to harm another, or damage or destroy property with the intent to induce a victim or witness not to report the existence of facts relating to a crime or delinquent act; etc.

### ***File Code* Criminal Law - Procedure**

***Subject*** Criminal Procedure - Criminal Injuries Compensation  
Board - Eligibility for Awards

***H-Bill***                      ***Go to HB***

***S-Bill*** SB151      ***Go to SB*** <http://mlis.state.md.us/2005rs/billfile/SB0151.htm>

### ***Synopsis***

Making a parent, child, or spouse of a person incarcerated for abuse eligible for awards from the Criminal Injuries Compensation Board if the incarcerated person had been living with and providing financial support for the parent, child, or spouse.

### ***File Code* Criminal Law - Procedure**

***Subject*** Criminal Procedure - Search and Seizure Warrants -  
Sealed Affidavit

***H-Bill*** HB1059      ***Go to HB*** <http://mlis.state.md.us/2005rs/billfile/HB1059.htm>

***S-Bill*** SB475      ***Go to SB*** <http://mlis.state.md.us/2005rs/billfile/SB0475.htm>

### ***Synopsis***

Repealing a limitation on the applicability of provisions authorizing a court to order that an affidavit presented in support of a search and seizure warrant be sealed; increasing, from 30 to 60 days, the amount of time that a court may order an affidavit presented in support of a search and seizure warrant to be sealed; authorizing a court to grant one or more 45-day extensions of the time that an affidavit presented in support of a search and seizure warrant is to remain sealed under specified circumstances; etc.

### ***File Code* Criminal Law - Substantive Crimes**

***Subject*** Crimes - Factual Determinations That Enhance  
Penalties - Revision

***H-Bill*** HB822      ***Go to HB*** <http://mlis.state.md.us/2005rs/billfile/HB0822.htm>

***S-Bill*** SB429      ***Go to SB*** <http://mlis.state.md.us/2005rs/billfile/SB0429.htm>

### ***Synopsis***

Altering specified provisions of law to establish new offenses in place of factual determinations that enhance penalties; establishing the offense and clarifying the penalty for rape in the first degree and kidnapping involving a victim under the age of 16 years; establishing the offense and clarifying the penalty for sexual offense in the first degree and kidnapping involving a victim under the age of 16 years; etc.

### ***File Code* Criminal Law - Substantive Crimes**

***Subject*** Hate Crimes Penalties Act - Expanding Prohibitions  
and Protected Classes of People

***H-Bill*** HB692      ***Go to HB*** <http://mlis.state.md.us/2005rs/billfile/HB0692.htm>

***S-Bill*** SB578      ***Go to SB*** <http://mlis.state.md.us/2005rs/billfile/sb0578.htm>

### ***Synopsis***

Expanding the scope of the prohibition against damaging property of places of worship to include any place of worship; expanding the scope of the prohibition against harassment, destruction of specified property, and damage to specified buildings to include sexual orientation of a person or group of people; etc.

### ***File Code* Criminal Law - Substantive Crimes**

***Subject*** Crimes - Representation of Destructive Device -  
Substance Representing Toxic Material

***H-Bill*** HB275      ***Go to HB*** <http://mlis.state.md.us/2005rs/billfile/HB0275.htm>

***S-Bill***                      ***Go to SB***

### ***Synopsis***

Expanding the crime of manufacturing, possessing, transporting, or placing a device representing a destructive device with the intent to terrorize to include manufacturing, possessing, transporting, or placing a substance representing a toxic material with the intent to terrorize.

### ***File Code* Criminal Law - Substantive Crimes**

***Subject*** Criminal Law - Altering the Outcome of a Drug or Alcohol Screening Test - Substituting Other Substance

***H-Bill*** HB941 ***Go to HB*** <http://mlis.state.md.us/2005rs/billfile/hb0942.htm>

***S-Bill*** ***Go to SB***

### ***Synopsis***

Including, in the crime of altering the outcome of a specified drug or alcohol screening test, the prohibition against the substitution, in whole or in part, of any other substance for the bodily fluid sample to be tested.

### ***File Code* Criminal Law - Substantive Crimes**

***Subject*** Criminal Law - Assault Against a Law Enforcement Officer - Penalties

***H-Bill*** ***Go to HB***

***S-Bill*** SB47 ***Go to SB*** <http://mlis.state.md.us/2005rs/billfile/SB0047.htm>

### ***Synopsis***

Establishing the crime of assault against specified law enforcement officers as an assault in the second degree; prohibiting a person from intentionally causing physical injury to another person knowing or having reason to know that the other person is a law enforcement officer engaged in the performance of official duties; providing that the District Court has jurisdiction that is concurrent with a circuit court in criminal cases involving assault against law enforcement officers; etc.

**File Code** Criminal Law - Substantive Crimes

**Subject** Criminal Law and Procedure - Criminal Gang Offenses

**H-Bill** [Go to HB](#)

**S-Bill** SB488 [Go to SB](#) <http://mlis.state.md.us/2005rs/billfile/sb0488.htm>

**Synopsis**

Prohibiting a person from threatening an individual, or a friend or family member of an individual, with physical violence with the intent to coerce, induce, or solicit the individual to participate in or prevent the individual from leaving a criminal gang; prohibiting specified threats or physical violence within a specified distance of specified school property; establishing specified penalties for specified violations of the Act; etc.

**File Code** Criminal Law - Substantive Crimes

**Subject** Crimes - Theft Under \$100

**H-Bill** HB855 [Go to HB](#) <http://mlis.state.md.us/2005rs/billfile/HB0855.htm>

**S-Bill** SB350 [Go to SB](#) <http://mlis.state.md.us/2005rs/billfile/SB0350.htm>

**Synopsis**

Authorizing a police officer to issue a citation for the misdemeanor of theft under \$100.



***File Code*** Criminal Law - Substantive Crimes

***Subject*** Criminal Law - Extortion by Government Officer or  
Employee - Persons Subject to Offense

***H-Bill*** [\*Go to HB\*](#)

***S-Bill*** SB386 [\*Go to SB\*](#) <http://mlis.state.md.us/2005rs/billfile/sb0386.htm>

***Synopsis***

Expanding the category of officers or employees who are subject to specified provisions relating to extortion; expanding the category of employment from which a person convicted of extortion is barred; and defining the term "political subdivision".

***File Code*** Criminal Law - Substantive Crimes

***Subject*** Criminal Law - Destroying Funerary Objects -  
Revisions

***H-Bill*** HB410 [\*Go to HB\*](#) <http://mlis.state.md.us/2005rs/billfile/HB0410.htm>

***S-Bill*** [\*Go to SB\*](#)

***Synopsis***

Repealing the element of willfulness in prohibitions relating to the destruction of funerary objects; and providing that prohibitions relating to the destruction of funerary objects do not prohibit specified repair, replacement, or maintenance activities.

***File Code*** Criminal Law - Substantive Crimes

***Subject*** Murder and Manslaughter - Viable Fetus

***H-Bill*** HB398      ***Go to HB*** <http://mlis.state.md.us/2005rs/billfile/hb0398.htm>

***S-Bill***                      ***Go to SB***

***Synopsis***

Establishing that a prosecution may be instituted for murder or manslaughter of a viable fetus under specified conditions; defining "viable"; and providing exceptions for lawful acts by a licensed medical professional or pregnant woman.

***File Code*** Criminal Law - Substantive Crimes

***Subject*** Crimes - Robbery by Display of Written Instrument  
Claiming Possession of Dangerous Weapon -

***H-Bill*** HB663      ***Go to HB*** <http://mlis.state.md.us/2005rs/billfile/hb0663.htm>

***S-Bill***                      ***Go to SB***

***Synopsis***

Prohibiting a person from committing or attempting to commit a robbery by displaying a written instrument claiming that the person has possession of a dangerous weapon; and establishing a specified penalty for violation of the Act.

### ***File Code*** Criminal Law - Substantive Crimes

***Subject*** Injury to or Death of Pet - Damages

***H-Bill*** HB941      ***Go to HB*** <http://mlis.state.md.us/2005rs/billfile/hb0941.htm>

***S-Bill***                      ***Go to SB***

### ***Synopsis***

Establishing that a person who tortiously causes an injury to or death of a pet is liable to the owner of the pet for compensatory damages of not more than \$7,500; etc.

### ***File Code*** Estates and Trusts

***Subject*** Maryland Uniform Transfers to Minors Act - Qualified  
Minor's Trust

***H-Bill***                      ***Go to HB***

***S-Bill*** SB3              ***Go to SB*** <http://mlis.state.md.us/2005rs/billfile/SB0003.htm>

### ***Synopsis***

Authorizing a custodian for a minor under the Maryland Uniform Transfers to Minors Act to transfer part or all of the custodial property to a qualified minor's trust without a court order; providing that the transfer of custodial property to a qualified minor's trust terminates the custodianship of that property to the extent of the transfer; and defining "qualified minor's trust".

***File Code*** Estates and Trusts

***Subject*** Baltimore County - Orphans' Court Judges - Practice of Law

***H-Bill*** [\*Go to HB\*](#)

***S-Bill*** SB197 [\*Go to SB\*](#) <http://mlis.state.md.us/2005rs/billfile/SB0197.htm>

***Synopsis***

Authorizing a judge of the Orphans' Court in Baltimore County to practice law under specified circumstances.

***File Code*** Estates and Trusts

***Subject*** Estates - Personal Representatives - Nomination by Power Conferred in Will

***H-Bill*** [\*Go to HB\*](#)

***S-Bill*** SB45 [\*Go to SB\*](#) <http://mlis.state.md.us/2005rs/billfile/SB0045.htm>

***Synopsis***

Adding personal representatives who have been nominated in accordance with a power conferred in a will that has been admitted to probate to a listing by priority of persons who may be granted letters in administrative or judicial probate or appointed as successor personal representatives or special administrators; establishing that personal representatives nominated in accordance with a power conferred in a will are entitled to probate; etc.

**File Code** Family Law

**Subject** Juvenile Law - Competency

**H-Bill** HB802      **Go to HB** <http://mlis.state.md.us/2005rs/billfile/hb0802.htm>

**S-Bill** SB616      **Go to SB** <http://mlis.state.md.us/2005rs/billfile/SB0616.htm>

**Synopsis**

Requiring the juvenile court to order an evaluation of a child under specified circumstances; requiring an evaluation to be performed by a qualified expert; requiring specified legal pleadings to be served on specified individuals and agencies; specifying procedures and conditions under which an examination is to be conducted; requiring a qualified expert to examine a child and prepare a report; requiring the qualified expert to review specified records and consider specified factors; specifying the contents of a report; etc.

**File Code** Family Law

**Subject** Family Law - Local Domestic Violence Fatality  
Review Teams

**H-Bill** HB741      **Go to HB** <http://mlis.state.md.us/2005rs/billfile/HB0741.htm>

**S-Bill**              **Go to SB**

**Synopsis**

Authorizing the establishment of local domestic violence fatality review teams; authorizing specified persons to organize a local team; establishing the membership of a local team; requiring a local team to elect a chair; establishing the purposes and duties of a local team; authorizing a local team to investigate specified cases of domestic violence; exempting specified persons acting within the scope of the jurisdiction of a local domestic violence fatality review team from civil liability under specified circumstances; etc.

### **File Code** Family Law

**Subject** Domestic Violence - Protective Orders - Definition of Abuse

**H-Bill** HB327      **Go to HB** <http://mlis.state.md.us/2005rs/billfile/hb0327.htm>

**S-Bill** SB263      **Go to SB** <http://mlis.state.md.us/2005rs/billfile/SB0263.htm>

### **Synopsis**

Altering the definition of "abuse" applicable to petitions for relief from abuse to include harassment, stalking, trespass, and malicious destruction of property; etc.

### **File Code** Family Law

**Subject** Juvenile Causes - Hearing on Petition to Authorize Continued Detention and Shelter Care - Limitation

**H-Bill**              **Go to HB**

**S-Bill** SB654      **Go to SB** <http://mlis.state.md.us/2005rs/billfile/SB0654.htm>

### **Synopsis**

Limiting to a specified maximum number of days the period in which a court may extend the date of a hearing on a petition to authorize detention, community detention, or shelter care for a specified child filed by an intake officer or specified official; and providing for the application of the Act.

### *File Code* **Family Law**

*Subject* Family Law - Children in Out-of-Home Placements -  
Placement of Siblings

*H-Bill* HB1336 *Go to HB* <http://mlis.state.md.us/2005rs/billfile/hb1336.htm>

*S-Bill* *Go to SB*

### *Synopsis*

Requiring a local department of social services to place together siblings who are in an out-of-home placement under specified circumstances; etc.

### *File Code* **Family Law**

*Subject* Family Law - Child Support - Settlement of Arrearages

*H-Bill* HB1181 *Go to HB* <http://mlis.state.md.us/2005rs/billfile/hb1181.htm>

*S-Bill* *Go to SB*

### *Synopsis*

Establishing a presumption that it is in the best interest of the State for the Child Support Enforcement Administration to accept in full settlement of an arrearage in child support payments an amount that is less than the total arrearage under specified circumstances; etc.

### **File Code** Family Law

**Subject** Juvenile Causes - Child in Need of Assistance -  
Court Hearings and Findings

**H-Bill** HB1225      **Go to HB** <http://mlis.state.md.us/2005rs/billfile/HB1225.htm>

**S-Bill** SB696      **Go to SB** <http://mlis.state.md.us/2005rs/billfile/SB0696.htm>

### **Synopsis**

Requiring a juvenile court in specified hearings concerning a child in need of assistance to make a finding whether a local department of social services made reasonable efforts to prevent placement of the child into the local department's custody; requiring the court in specified review hearings to make a finding whether the local department made reasonable efforts to finalize the child's permanency plan and meet the child's needs; requiring the court to consider specified factors in making a finding; etc.

### **File Code** Family Law

**Subject** Children in Need of Assistance - Custody and  
Guardianship

**H-Bill** HB976      **Go to HB** <http://mlis.state.md.us/2005rs/billfile/hb0976.htm>

**S-Bill** SB746      **Go to SB** <http://mlis.state.md.us/2005rs/billfile/SB0746.htm>

### **Synopsis**

Authorizing a juvenile court to grant custody and guardianship of a child to a relative or nonrelative under provisions of law relating to children in need of assistance; authorizing the court to order specified reviews after granting custody and guardianship; requiring specified considerations before the court grants custody and guardianship; requiring the court to see a specified child in person before the court concludes a permanency plan review hearing; etc.



**File Code** Family Law

**Subject** Adoption - Written Instruments - Meaning of "Child"

**H-Bill** [Go to HB](#)

**S-Bill** SB176 [Go to SB](#) <http://mlis.state.md.us/2005rs/billfile/sb0176.htm>

**Synopsis**

Altering a date in a provision that limits the meaning of the term "child" or any equivalent term in specified written instruments to specified adopted individuals under specified circumstances; and providing for the application of the Act.

**File Code** Family Law

**Subject** Children in Need of Assistance - Out-of-Home  
Placement - Permanency Plans

**H-Bill** HB771 [Go to HB](#) <http://mlis.state.md.us/2005rs/billfile/HB0771.htm>

**S-Bill** [Go to SB](#)

**Synopsis**

Altering the options that may be included in a child's court-ordered permanency plan; altering the options to be considered by a local department of social services in developing permanency plans for specified children; etc.

### *File Code* **Family Law**

*Subject* Juvenile Causes - Child in Need of Assistance -  
Priority of Relatives as Caregivers

*H-Bill* HB935      *Go to HB* <http://mlis.state.md.us/2005rs/billfile/HB0935.htm>

*S-Bill*              *Go to SB*

### *Synopsis*

Requiring a local county department of social services to consider whether there is a relative able to provide supervision of a child alleged to be in need of assistance prior to placing the child in emergency shelter before a specified hearing; requiring a local county department of social services to give notice of a hearing to relatives of a child alleged to be in need of assistance; requiring a court to give priority to a child's relatives over nonrelatives when ordering shelter care for the child; etc.

### *File Code* **Family Law**

*Subject* Permanency for Families and Children Act of 2005

*H-Bill* HB826      *Go to HB* <http://mlis.state.md.us/2005rs/billfile/hb0826.htm>

*S-Bill* SB710      *Go to SB* <http://mlis.state.md.us/2005rs/billfile/SB0710.htm>

### *Synopsis*

Revising substantively the laws relating to termination of parental rights, guardianship, and adoption.

### *File Code* **Family Law**

*Subject* Children in Need of Assistance or Supervision -  
Notice of Truancy

*H-Bill* HB957      *Go to HB* <http://mlis.state.md.us/2005rs/billfile/HB0957.htm>

*S-Bill*              *Go to SB*

### *Synopsis*

Authorizing the juvenile court to notify specified school officials of the fact that a child has been found to be in need of assistance or in need of supervision; prohibiting the notice to school officials from including an order or pleading related to the child in need of assistance or supervision case; and requiring specified school officials to notify the juvenile court on receipt of a specified report.

### *File Code* **Family Law**

*Subject* Education - Arrest for Reportable Offenses -  
Notification

*H-Bill* HB227      *Go to HB* <http://mlis.state.md.us/2005rs/billfile/hb0227.htm>

*S-Bill*              *Go to SB*

### *Synopsis*

Expanding the requirement that law enforcement agencies notify local superintendents of public schools of arrests for reportable offenses to include arrests of all students; defining "student" as an individual enrolled in a public school system in the State who is 5 years old or older and under 22 years of age; and declaring the intent of the General Assembly.

### **File Code** Family Law

**Subject** Child Care Centers and Family Day Care Homes -  
Employees - Background Checks

**H-Bill** HB163      **Go to HB** <http://mlis.state.md.us/2005rs/billfile/hb0163.htm>

**S-Bill**                      **Go to SB**

### **Synopsis**

Authorizing the Child Care Administration of the Department of Human Resources to disclose to the operator of a child care center or to a family day care provider reports and records concerning child abuse and neglect for a specified purpose; requiring the Department of Public Safety and Correctional Services to provide an initial and revised statement of a specified applicant's State criminal record to the Child Care Administration; etc.

### **File Code** Public Health

**Subject** Benefits and Services for Individuals Who Are  
Incarcerated or Institutionalized

**H-Bill** HB990      **Go to HB** <http://mlis.state.md.us/2005rs/billfile/hb0990.htm>

**S-Bill**                      **Go to SB**

### **Synopsis**

Requiring the Department of Health and Mental Hygiene to suspend Maryland Medical Assistance Program benefits for specified individuals who are incarcerated or who are admitted to an institution for the treatment of mental disease; and prohibiting the Department from terminating Program benefits for specified individuals based on the incarceration of the individual or the admission of the individual to an institution for the treatment of mental disease.

**File Code** Public Health

**Subject** Civil Actions - Defenses - Sales of Food, Drugs, Cosmetics, and Other Health-Related Products

**H-Bill** HB829      **Go to HB** <http://mlis.state.md.us/2005rs/billfile/hb0829.htm>

**S-Bill**              **Go to SB**

**Synopsis**

Abolishing in specified civil actions a defense of indirect contact with the person on whose behalf the action is brought for a person that sells, distributes, or otherwise disposes of food, drugs, cosmetics, and specified other health-related products; authorizing the person to prove that all or any part of an alleged overcharge ultimately was passed on to another person by a purchaser or seller in the chain of manufacture, production, or distribution who paid the alleged overcharge; etc.

**File Code** Public Health

**Subject** Medical Records - Authorized Disclosures - Compulsory Process

**H-Bill**              **Go to HB**

**S-Bill** SB690      **Go to SB** <http://mlis.state.md.us/2005rs/billfile/SB0690.htm>

**Synopsis**

Altering requirements for disclosures of specified medical records; requiring that specified health care providers disclose specified medical records under specified circumstances; requiring that specified health care providers receive assurances by specified counsel, proof of a specified waiver, or copies of specified orders entered by a court; etc.

**File Code** Public Health

**Subject** Community Health Care Access and Safety Net Act  
of 2005

**H-Bill** HB627      **Go to HB** <http://mlis.state.md.us/2005rs/billfile/hb0627.htm>

**S-Bill**              **Go to SB**

**Synopsis**

Altering the eligibility requirements of the Maryland Pharmacy Discount Program to cover individuals who are not Medicare beneficiaries, who lack other public or private prescription drug coverage, and who have a specified annual household income, and to exclude Medicare beneficiaries; requiring hospitals to develop financial assistance policies to provide free and reduced-cost care to specified patients; establishing the Maryland Community Health Resources Commission; etc.

**File Code** Public Health

**Subject** Department of Health and Mental Hygiene -  
Federally Qualified Health Centers Grant Program

**H-Bill** HB250      **Go to HB** <http://mlis.state.md.us/2005rs/billfile/hb0250.htm>

**S-Bill** SB210      **Go to SB** <http://mlis.state.md.us/2005rs/billfile/SB0210.htm>

**Synopsis**

Creating the Federally Qualified Health Centers Grant Program; authorizing the Board of Public Works, on the recommendation of the Secretary of Health and Mental Hygiene, to provide grants under the Program to counties, municipal corporations, and nonprofit corporations for federally qualified health centers; etc.

**File Code** Public Safety

**Subject** Criminal Procedure - Criminal Justice Information  
Advisory Board - Membership and Duties

**H-Bill** [Go to HB](#)

**S-Bill** SB8 [Go to SB](#) <http://mlis.state.md.us/2005rs/billfile/sb0208.htm>

**Synopsis**

Altering the termination date for the Commission on Public Safety Technology and Critical Infrastructure; adding members to the Criminal Justice Information Advisory Board; requiring the Board to make specified recommendations; requiring the Board to consult and cooperate with specified governmental units; and requiring the Board to submit a specified report to the Governor and the General Assembly.

**File Code** Public Safety

**Subject** Law Enforcement - Mutual Aid Agreements -  
Maryland Vehicle Law

**H-Bill** HB305 [Go to HB](#) <http://mlis.state.md.us/2005rs/billfile/hb0305.htm>

**S-Bill** [Go to SB](#)

**Synopsis**

Clarifying that a police officer acting under a mutual aid agreement authorized under a specified provision of law may enforce the Maryland Vehicle Law beyond the police officer's sworn jurisdiction.

**File Code** Public Safety

**Subject** Public Safety - Department of State Police -  
Investigations of Deaths in or Outside Correctional

**H-Bill** [Go to HB](#)

**S-Bill** SB394 [Go to SB](#) <http://mlis.state.md.us/2005rs/billfile/sb0394.htm>

**Synopsis**

Requiring the Department of State Police to investigate any death of an inmate suspected to be a homicide that occurs within or outside a correctional facility under specified circumstances; and authorizing police employees to act within the limits of specified municipal corporations when conducting specified investigations.

**File Code** Public Safety

**Subject** Washington County - Correctional Facility Programs  
- Participation

**H-Bill** HB915 [Go to HB](#) <http://mlis.state.md.us/2005rs/billfile/hb0915.htm>

**S-Bill** [Go to SB](#)

**Synopsis**

Requiring the Sheriff of Washington County to establish eligibility criteria to determine whether an inmate may participate in a home detention program, a work release program, or a pretrial release program; and removing the condition that an inmate may participate in these programs only if the inmate does not have any charges pending in any jurisdiction.



### *File Code* **Public Safety**

*Subject* Public Safety - Statewide DNA Data Base System -  
Use of Match as Probable Cause

*H-Bill* HB859      *Go to HB* <http://mlis.state.md.us/2005rs/billfile/hb0859.htm>

*S-Bill*              *Go to SB*

### *Synopsis*

Altering the use as probable cause of a match obtained between an evidence sample and an entry in the statewide DNA data base system.

### *File Code* **Public Safety**

*Subject* Department of State Police - Collection of DNA  
Samples

*H-Bill* HB240      *Go to HB* <http://mlis.state.md.us/2005rs/billfile/HB0240.htm>

*S-Bill* SB213      *Go to SB* <http://mlis.state.md.us/2005rs/billfile/sb0213.htm>

### *Synopsis*

Authorizing the collection of DNA samples at the time of sentencing and at a suitable location in a courthouse following the imposition of sentence; etc.

### ***File Code*** **Public Safety**

***Subject*** Public Safety - Collection of DNA Samples - State Budget

***H-Bill*** ***Go to HB***

***S-Bill*** SB622 ***Go to SB*** <http://mlis.state.md.us/2005rs/billfile/sb0622.htm>

### ***Synopsis***

Repealing a requirement that, before an individual is required to submit a DNA sample, appropriations in the State budget must be available for the collection of DNA samples.

### ***File Code*** **Real Property**

***Subject*** Real Property - Release of Mortgages and Deeds of Trust - Retention Requirement

***H-Bill*** HB1421 ***Go to HB*** <http://mlis.state.md.us/2005rs/billfile/HB1421.htm>

***S-Bill*** ***Go to SB***

### ***Synopsis***

Repealing a specified requirement that a clerk retain specified mortgages and deeds of trust for 25 years under specified circumstances.

***File Code*** Real Property

***Subject*** Real Property - Abatement of Nuisances on  
Property Used for Controlled Dangerous Substance

***H-Bill*** [\*Go to HB\*](#)

***S-Bill*** SB674 [\*Go to SB\*](#) <http://mlis.state.md.us/2005rs/billfile/SB0674.htm>

***Synopsis***

Specifying the persons against whom an action may be brought to abate a nuisance on property used for controlled dangerous substance offenses; clarifying that a plaintiff is entitled to equitable relief in an action to abate a drug-related nuisance whether or not an adequate remedy exists at law; authorizing a court, if a tenant fails to comply with an order to abate a drug-related nuisance, to order restitution of possession of the property to the operator of the property; etc.

***File Code*** Real Property

***Subject*** Real Property - Foreclosure - Protection of  
Homeowners

***H-Bill*** [\*Go to HB\*](#)

***S-Bill*** SB761 [\*Go to SB\*](#) <http://mlis.state.md.us/2005rs/billfile/sb0761.htm>

***Synopsis***

Regulating foreclosure consultants, foreclosure purchasers, and foreclosure surplus purchasers; prohibiting specified practices; specifying the form and contents of specified contracts and documents; providing that a homeowner has the right to rescind specified contracts and documents within a specified time; providing penalties for violations of the Act; requiring a written notice of a foreclosure sale to contain a specified statement; etc.

***File Code* Real Property**

***Subject*** Landlord and Tenant - Termination of Lease -  
Limitation of Liability for Rent

***H-Bill*** ***Go to HB***

***S-Bill*** SB339 ***Go to SB*** <http://mlis.state.md.us/2005rs/billfile/sb0339.htm>

***Synopsis***

Limiting the liability of a tenant for rent under a residential lease to no more than 2 months' rent if the tenant vacates the leased premises due to a medical condition; requiring a tenant to provide a landlord a specified certification from a physician and a specified notice of termination to qualify for the limitation of liability for rent; providing that the Act does not apply to a tenant under a residential lease under specified circumstances; etc.

***File Code* Real Property**

***Subject*** Real Property - Deeds or Other Instruments -  
Prerequisites to Recording

***H-Bill*** HB204 ***Go to HB*** <http://mlis.state.md.us/2005rs/billfile/HB0204.htm>

***S-Bill*** ***Go to SB***

***Synopsis***

Allowing a clerk of the circuit court to record an instrument that effects a change of ownership if the instrument is endorsed as transferred by the local assessment office; providing an alternative method for obtaining information contained in an intake sheet as a prerequisite to the recordation of a deed or other instrument; allowing a clerk to refuse to record a deed or other instrument if the deed or other instrument is not accompanied by an intake sheet or endorsed as transferred by the local assessment office; etc.

**File Code** State Pensions and Retirement

**Subject** Retirement and Pensions - Reemployment of Retirees

**H-Bill** [Go to HB](#)

**S-Bill** SB663 [Go to SB](#) <http://mlis.state.md.us/2005rs/billfile/SB0663.htm>

**Synopsis**

Exempting from an offset of a retirement allowance retirees of the Teachers' Retirement System or Teachers' Pension System who meet specified criteria; providing that specified retirees of the Teachers' Retirement System or the Teachers' Pension System may only be reemployed for a period of 4 years; etc.

**File Code** State Pensions and Retirement

**Subject** State Retirement and Pension System - Administration - Simplification

**H-Bill** [Go to HB](#)

**S-Bill** SB584 [Go to SB](#) <http://mlis.state.md.us/2005rs/billfile/sb0584.htm>

**Synopsis**

Providing that members of the several systems included in the State Retirement and Pension System who retire within 30 days after separating from employment with specified employers may receive creditable service for their unused sick leave; requiring that specified trustees on the Board of Trustees for the State Retirement and Pension System meet specified criteria; etc.

### *File Code* **Vehicle Laws**

*Subject* Vehicle Laws - Bicycles and Motor Scooters -  
Exceptions to Requirement to Stay Right

*H-Bill* [\*Go to HB\*](#)

*S-Bill* SB551 [\*Go to SB\*](#) <http://mlis.state.md.us/2005rs/billfile/sb0551.htm>

### *Synopsis*

Creating additional exceptions to the requirement that a person operating a bicycle or motor scooter stay as near to the right of the roadway as is safe and practical; and establishing that the requirement to stay to the right only applies to a bicycle or motor scooter that is traveling at a speed less than the speed of traffic under specified circumstances.

### *File Code* **Vehicle Laws**

*Subject* Carroll County - Highways - Prohibition on Use for  
Solicitation

*H-Bill* HB1429 [\*Go to HB\*](#) <http://mlis.state.md.us/2005rs/billfile/hb1429.htm>

*S-Bill* [\*Go to SB\*](#)

### *Synopsis*

Prohibiting a person from standing in a roadway, median divider, or intersection in Carroll County to solicit money or donations from the occupant of a vehicle.

### ***File Code*** Vehicle Laws

***Subject*** Motor Vehicles - Low Speed Vehicles - Standards and Restrictions

***H-Bill*** HB316 ***Go to HB*** <http://mlis.state.md.us/2005rs/billfile/hb0316.htm>

***S-Bill*** ***Go to SB***

### ***Synopsis***

Clarifying that the Motor Vehicle Administration may issue certificates of title for, and register, electric low speed vehicles; prohibiting a person from driving a low speed vehicle on specified roadways; providing for the classification of low speed vehicles and establishing an annual registration fee; requiring a specified application to be submitted electronically; etc.

### ***File Code*** Vehicle Laws

***Subject*** Vehicle Laws - Provisional Drivers - Eligibility for License

***H-Bill*** ***Go to HB***

***S-Bill*** SB206 ***Go to SB*** <http://mlis.state.md.us/2005rs/billfile/sb0206.htm>

### ***Synopsis***

Prohibiting an individual who holds a provisional driver's license from receiving a driver's license sooner than 18 months following the later of the date the individual first obtains the provisional license, the date the individual has been convicted of specified violations, or the date of restoration of the individual's provisional license or driving privilege; etc.

**File Code** Vehicle Laws

**Subject** Vehicle Laws - License to Drive - Requirements

**H-Bill** [Go to HB](#)

**S-Bill** SB209 [Go to SB](#) <http://mlis.state.md.us/2005rs/billfile/sb0209.htm>

**Synopsis**

Altering the minimum age required for eligibility for a provisional license and license; and extending from 4 months to 6 months the time period an individual is required to hold a learner's instructional permit before taking specified examinations to obtain a provisional driver's license.

**File Code** Vehicle Laws

**Subject** Cecil County - Solicitation of Money or Donations  
from Occupants of Vehicles - Prohibitions and

**H-Bill** [Go to HB](#)

**S-Bill** SB453 [Go to SB](#) <http://mlis.state.md.us/2005rs/billfile/sb0453.htm>

**Synopsis**

Prohibiting, in Cecil County, a person from standing, or causing, encouraging, allowing, or petitioning another to stand, in a roadway, median divider, or intersection to solicit money or donations from the occupant of a vehicle, subject to a specified exception; authorizing the County Commissioners of Cecil County or the governing body of a municipal corporation in Cecil County to enact a permit program to allow specified individuals or representatives of specified organizations to solicit donations in a specified manner;



### *File Code* **Vehicle Laws**

*Subject* Vehicle Laws - Minor Holding Provisional Driver's License - Prohibition Against Minors as Passengers

*H-Bill* HB393 *Go to HB* <http://mlis.state.md.us/2005rs/billfile/hb0393.htm>

*S-Bill* *Go to SB*

### *Synopsis*

Prohibiting the holder of a provisional driver's license who is a minor from transporting individuals under the age of 18 years as passengers except under specified circumstances; requiring the prohibition to be in effect for a specified period of time; exempting specified passengers from the provisions of the Act; providing for secondary enforcement of a violation; and making the violation a moving violation.

### *File Code* **Vehicle Laws**

*Subject* Motor Vehicles - Learners' Permits and Provisional Licenses - Prohibition on Use of a Wireless

*H-Bill* HB394 *Go to HB* <http://mlis.state.md.us/2005rs/billfile/hb0394.htm>

*S-Bill* *Go to SB*

### *Synopsis*

Prohibiting the holder of a learner's instructional permit or provisional driver's license from using a specified wireless communication device while operating a motor vehicle; providing for specified exceptions; authorizing the Motor Vehicle Administration to issue a specified restricted license; etc.

### ***File Code*** Vehicle Laws

***Subject*** Drunk and Drugged Driving - Test Refusal -  
Enhanced Criminal Penalties

***H-Bill*** HB103      ***Go to HB*** <http://mlis.state.md.us/2005rs/billfile/HB0103.htm>

***S-Bill*** SB650      ***Go to SB*** <http://mlis.state.md.us/2005rs/billfile/SB0650.htm>

### ***Synopsis***

Providing for specified enhanced criminal penalties that may be imposed if a person is convicted of specified alcohol- or drug-related driving offenses and the trier of fact finds that the person knowingly refused to take a specified test; requiring a police officer to advise a person of the enhanced criminal penalties under specified circumstances; etc.

### ***File Code*** Vehicle Laws

***Subject*** Motor Vehicles - Restrictions on Use of Wireless  
Communication Devices While Driving

***H-Bill***                      ***Go to HB***

***S-Bill*** SB50      ***Go to SB*** <http://mlis.state.md.us/2005rs/billfile/SB0050.htm>

### ***Synopsis***

Requiring the Motor Vehicle Administration to impose a restriction on learner's instructional permits, provisional driver's licenses, and specified driver's licenses that prohibits permit holders or licensees from using an interactive wireless communication device while operating a motor vehicle; prohibiting the driver of a motor vehicle that is in motion from using an interactive wireless communication device that is held by the driver while in use; etc.

### *File Code* **Vehicle Laws**

*Subject* Commercial Drivers' Licenses - Standards,  
Requirements, and Penalties

*H-Bill* HB789      *Go to HB* <http://mlis.state.md.us/2005rs/billfile/hb0789.htm>

*S-Bill* SB640      *Go to SB* <http://mlis.state.md.us/2005rs/billfile/SB0640.htm>

### *Synopsis*

Requiring a clerk of a court to establish specified reporting procedures; expanding the requirements for driving commercial motor vehicles; applying specified sanctions to a holder of a commercial driver's license under specified circumstances; establishing specified disqualifying offenses for commercial drivers; establishing a defense for a specified violation; authorizing specified persons to receive information in a specified driving record; expanding and clarifying specified definitions; etc.